

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:11-CV-349-RJC-DCK**

JACQUELINE ALLEN BEY,

Plaintiff,

v.

DAVID A. SIMPSON,
CITIMORTGAGE, INC.,
JESSE B. CALDWELL, III,
DOVER MORTGAGE COMPANY,

Defendants.

ORDER

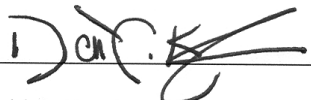
THIS MATTER IS BEFORE THE COURT *sua sponte* regarding the filing of Defendant The Honorable Jesse B. Caldwell's "Motion To Dismiss" (Document No. 4). Plaintiff failed to file a timely response, and the time to do so has lapsed.

In accordance with Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the Court advises Plaintiff, who is proceeding *pro se*, that she has a right to respond to Defendant's motion. The Court also advises Plaintiff that failure to respond may result in Defendant being granted the relief it seeks, that is, the dismissal of the Complaint.

IT IS THEREFORE ORDERED that Plaintiff shall respond to the pending "Motion To Dismiss" (Document No. 4) on or before **September 26, 2011**. Failure to file a persuasive response by that date will likely lead to the dismissal of this lawsuit against Defendant Jesse B. Caldwell, III.

The Clerk of Court is directed to send this Order to the *pro se* Plaintiff by certified U.S. Mail.

Signed: September 12, 2011



David C. Keesler
United States Magistrate Judge

